REMARKS

Claims 1 through 19 are in the application and are presented for consideration. By this amendment, Applicant has canceled claim 2 and included the subject matter of this claim in claim 1. The dependency of claim 4 has been changed. Minor corrections have been made to claim 7 and claim 14.

The specification has been objected to with regard to the means – plus – function language of the claims and support for this in the specification. Applicant has now revised the specification to provide the wording as suggested. It should be apparent from the specification and claims that the coupling means includes each side of the coupler, such as pins on one side and a socket on another side, as disclosed. The changes to the specification simply relate to the use of the term means and a proper reference to each side of the means, namely the male and female side of the coupler. It is believed that no new issues are raised by this change and no new matter has been added. Accordingly, it is requested that the objections to the claims and to the specification be withdrawn.

Claims 1 through 19 have been rejected as anticipated by Prendergast (US 5,873,371). It is Applicant's position that Prendergast does not teach each and every feature arranged as specified in the claims. Further, the prior art as a whole fails to suggest the combination of features as claimed.

Prendergast teaches a specialized device for training in anesthesiology. The arrangement includes plural syringes wherein these are connected to a multiple syringe manifold. Each syringe includes a drug or a simulated drug fluid and an integrated circuit

programmed with a drug type and concentration. A computer is used to sense the drug type and concentration from the integrated circuit attached to the particular syringe. This provides a measurement of the amount administered from the flow sensor. The drug type, concentration and amount administered is used by the computer along with other measured parameters and a body and drug model and trainer input to cause a simulator mannequin to react to the administered drugs. In an alternative embodiment the system can be used to record the type, concentration and amount of actual drugs administered to a real patient. Additionally, an embodiment is provided that can be used in conjunction with a device for automatically administering drugs to a real patient under the control of a computer using adaptive body and drug models initially under the control of a physician.

The rejection is based on the position that a coupling means with a coupling part and a receiving part is provided for series connection with adjacent modules. However, the structure indicated (features 135, 164) are drugs (135) and a memory chip disk (164). The structure that physically connects adjacent modules is the manifold wherein this connection is indirect. As highlighted in revised claim 1, the coupling means provides the coupling part on one side of the lower part and the receiving part at another side of the lower part. The structure is simply not present in the syringe and manifold arrangement of Prendergast. Further, according to claim 1 an upper part is provided a cartridge. The cartridge is an additional feature, besides the claimed lower part. The cartridge is provided for receiving the medical active ingredient. Further a device is provided for delivering the medical active ingredient from the cartridge to the fluid interface. These features are not present in any of the Prendergast

embodiments. Further, if the manifold is the means for series connections of adjacent modules, there is no additional feature of a fluid interface. Several features claimed in revised claim 1 are missing from Prendergast.

Claim 6 is more particular in requiring multiple modules with the coupler having a first side coupler part and a second side coupler part. This structure is not present in Prendergast. Claim 6 further requires that the two modules be coupled in series with the first side coupler part or second side coupler part of one module coupled with the first side coupler part or second side coupler part of the other module. This structure is clearly not present in Prendergast. Prendergast also does not have the cartridge and fluid interface structure as claimed in claim 6. Several other features of claim 6 are also missing from Prendergast.

Claim 14 is particular with regard to the modules having a distinct base part and cartridge. The cartridge has a fluid interface for connecting to the supply line as well as a delivery device. Prendergast does not have a cartridge as claimed. Claim 14 further requires an additional module part, with the base part that includes a supply line receiving portion which allows the supply line to extend through the first module supply line receiving portion for access by the cartridge fluid interface. The base part also in each case includes a coupler with first and second side coupler parts. Claim 14 further requires a connection of the various parts including a coupler part of one module base connected to a coupler part of another module base. The combination of features is not taught and not suggested by Prendergast.

The dependent claims highlight further features which differ from the devices taught by Prendergast. The association of the cartridge and the code is clearly not suggested by

Prendergast. This association of the cartridge and the code allows the cartridge to be replaced with proper drug information being passed on to the evaluating and control unit. The prior art as a whole fails to suggest this combination of features.

As the claims present accommodation features which are not suggested by Prendergast, reconsideration of the rejection based on Prendergast is requested.

Claims 1 through 19 have been rejected as being anticipated by Kerns et al. (US 4,756,706). The rejection is based on the position that Kerns et al. teaches each of the features as specified in the claims.

Kerns et al. discloses a centrally managed module infusion pump system. The system includes a central management unit 14 which is permanently attached to an infusion pump unit 16. Additionally, further removable modules may be provided. Examples of the additional modules are a blood pressure monitor 18, an oxygen meter 20 and a second infusion pump module 22. It should be noted that none of these modules include a cartridge with medical active ingredient and a delivery means for delivering the medical active ingredient to a fluid interface connected to a supply line. For example, each of the infusion pumps basically include a peristaltic pump. Such a pump acts on a flexible fluid line and does not inject substances into the line. Indeed, such a peristaltic pump moves the fluid in the line without any direct contact or contact interaction with the fluid. Kerns et al. does teach the concept of a modular arrangement wherein modules can be connected and disconnected. The modules 18, 20 and 22 are selectively attachable to the central management unit 14 and its pump module 16 based on a sliding flange plates 62 engaging flanged rails 64 on the module above it. This provides a

physical connection. As explained in column 4, lines 7 through 16, an electrical connection between a lower unit and the unit above it is established by turning a knob 120 which causes the male contact pins 122 and the guide pins 124 to be raised, initiating contact with a corresponding set of female contact pins 125 and recesses 158 (see figure 4). This appears to provide a series connection. However, the Kerns et al. reference fails to teach or suggest the crux of Applicant's invention, namely providing modules which each independently can deliver a medical active ingredient into a supply line via a cartridge for the particular medical active ingredient, with a fluid interface for each cartridge wherein multiple modules can be connected in series allowing individual control of the modules as to delivery of the medical active ingredient of the cartridge as well as recognition of the particular medical active ingredient which is being delivered by the particular cartridge in the module. Prendergast fails to teacher or suggest modules with medical active ingredient delivery means and ingredient cartridges with these modules having couplers or coupling means as claimed. Clearly Kerns et al. fails to suggest a base unit with features for engaging the supply line and with features for connection to a control and connection to adjacent base units in series. There is also no teaching of cartridges which include delivery means as well as active ingredient as well as information allowing effective control of the medical active ingredient delivery. Kerns et al. is limited to teaching the ability to control plural pumps on one or more supply lines based on series connected modules. The reference provides no suggestion with regard to modules with active ingredient cartridges, particularly with the cartridge associated with an upper part and the couplers associated with a lower part having coupling parts at different sides of the lower part.

As the claims present accommodation features which are not suggested by Kerns et al., reconsideration of the rejection based on Kerns et al. is requested.

As the prior art as a whole fails to suggest and fails to teach the accommodation features claimed, it is requested that the rejections be removed and that the claims be allowed.

Favorable action on the merits is requested.

Respectfully submitted
for Applicant,

By:_____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:jj/tf
71128-9

DATED: October 2, 2007
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.